REMARKS/ARGUMENTS

Claims 47-54 and 56-95 are pending in this application. Claims 1-46 and 55 have been canceled. Claims 91-95 are new.

Turning to the present invention as described in this application, two important elements of Fig. 2 are the "hit generation unit 26" and the increment unit 46. The box 26 labeled "hit generation unit" in Fig. 2 signifies the generation of "hits", i.e. the playing of a game of chance which can lead to a "hit", i.e. a win which is subsequently allocated from the jackpot to one or more players. The hit generation unit 26 is subsequently described in more detail with reference to Fig. 5 and is essentially a selection generator.

The increment unit 46 is described in Fig. 3 and essentially comprises the rules by which inputs from each gaming position associated with the jackpot system will give rise to an increment in the jackpot system, i.e. in the value of the jackpot and, optionally, depending on the rules configured by the casino management, to an increment in a further jackpot system 10' as indicated by arrow 50. Thus, for example, if both gaming machines and gaming tables are connected to the jackpot, the increment unit 46 determines what proportion of the amount wagered at the gaming machine or of the amount of a side bet at a gaming table is branched off to the jackpot in the jackpot system. Moreover, a whole series of criteria can be included for consideration for the incrementation of the jackpot. For example, the jackpot can be a jackpot restricted to gaming positions in a certain area of the casino or to certain gaming machines with bets of a certain level.

Fig. 4 shows how a jackpot system is initially set up.

Fig. 5 is a particularly important and explains the operation of the hit generation unit 26. As described on page 28, line 21 and seq. one way of realizing the hit generation unit 26 is to configure it as a random number generator that responds, each time it is triggered, to generate a random number in a specific range. The actual generation of the random number will typically take place in a subroutine identified in Fig. 5 at box 70. The range of numbers within which the random number generator 70 can generate a random number is determined by a

dynamic probability matrix in box 72. The function of the dynamic probability matrix (box 72) is to adapt the range of numbers within which the random number generator generates a random number for each trigger signal 74 arriving at the hit generation unit.

As a simple example, the random number generator may be allowed to generate random numbers in the range 1 to 10,000, with the numbers 1, 2, 3, 4, 5 and 6 being associated with wins. These wins can be of the same amount, or of different amounts, or can take the form of physical prizes or other gratuities. This is explained in some detail with reference to Fig. 7.

In a simple arrangement, the hit generation unit will allow one random number to be generated, each time a trigger impulse is received, for example each time a bet is made at a gaming machine or each time a side bet is placed at a gaming table. However, other triggers can be allowed and under some circumstances more than one trigger; i.e. for one action by a player, two random numbers could be generated by the hit generation unit. With this example, the numbers generated by the selection generator, i.e. the hit generation unit, are compared with the jackpot paytable to see if the random number generated is a winning number and, if so, the win associated with that random number is transferred to the player or credited to the player and removed from the list of possible wins in the jackpot. Since the origin of the trigger signal, which caused the hit generation unit to generate the random number associated with the win, is uniquely associated with a specific player, it is also clear that the jackpot award should be made to that player (or to a group of associated players if the casino has configured the jackpot system in this way).

This arrangement in accordance with Fig. 5 is, however, not the only way that the selection generator could work.

One alternative is shown in Fig. 10. Here, a sequence of random numbers in a particular range is generated and the casino decides, typically in advance of the start of game play for the jackpot, that these random numbers constitute winning numbers and again a win is associated with each of the random numbers. This also constitutes a jackpot paytable.

In this arrangement, each time a bet is made, a counter associated with the hit generation unit is incremented by one and at some stage the count will equal one of the pre-selected random numbers. In this case the win is then triggered and is paid to the player whose input resulted in the increment of the counter to the winning number.

Ultimately, with this system, it is not necessary for the casino to employ a random number generator to generate numbers at random. Instead, the management could simply select numbers at random to be associated with respective wins. Again, once the counter has reached one of the numbers associated with the win, a win is paid out and indeed to the player whose gaming activity led the counter to be incremented to the winning number.

Turning now to the cited references, patent 6,371,852 B1 (Acres Gaming) is directed to a method of providing incentive to play gaming devices connected by a network to a host computer comprising the steps of:

- creating a player account accessible by the host computer,

- applying an incentive credit to the player account,

- providing access to the account responsive to a command initiated by a player at one of the gaming devices,

- debiting the account responsive to a game played at said one gaming device,

- crediting said one gaming device responsive to debiting the account and

- preventing the applied incentive credit from being cashed out (claim 1).

This reference is restricted to gaming machines and does not allow the gaming principles described to be applied to games played at gaming tables. The reference is heavily slanted towards carded play, i.e. the use of a player card which uniquely identifies the player (even if it does not include his name). Such cards are useful in player tracking systems which enable a casino to make certain gratuities or awards to players based on their activities in the casino (see for example col. 1, lines 40-50 of the Acres '852 reference).

With reference to col. 7, lines 5-6 and 55-61 of Acres '852, the Office Action asserted that Acres discloses a paytable for comparing the generated selection and transferring the winnings to the gaming position.

Lines 5-6 in col. 7 of Acres '852 specify that the game played is assumed to result in a 10-coin win based on the paytable in EGM 12. EGM 12 is an electronic gaming machine and the paytable referred to is the paytable which is incorporated in every gaming machine and which determines the normal wins obtained from the gaming machine. This has nothing to do with the winning of a jackpot. In this connection it is now clearly specified in claim 1 that the paytable involved is the jackpot paytable associated with the jackpot of the jackpot system.

Further, the reference in col. 7, lines 55-61 of Acres '852 is a jackpot dictated by the machine paytable, not a jackpot dictated by a separate jackpot paytable of a jackpot system. In fact, there is no reference in Acres '852 to a jackpot system operating with a separate jackpot paytable or to any way of configuring such a jackpot paytable. However, as stated, this is an important element of the present invention.

In this context, applicants note that in an earlier Office Action it was asserted that Acres '852 does not explicitly disclose a selection generator, but that Acres '852 discloses a reel slot machine (and refers to Fig. 2, col. 6, lines 42-43 in this respect). Based on this observation, it was concluded that Acres inherently discloses the well-known selection generator to randomly select an outcome. However, applicants again point out that this reference is directed to the gaming which is carried out at the <u>machine</u> and <u>not</u> to the <u>jackpot system</u>.

Moreover, the Office Action notes that Acres '852 does not disclose that the paytable is capable of being configured by an operator. It is applicants' understanding that, as far as gaming machines are concerned, paytables are incorporated in the machines and they are not operator configured. Instead, they are set once and for all and have to be approved by the gaming authorities in most jurisdictions.

Thus, applicants submit that Acres '852 is restricted to carded play (meaning each player has a player identification card) and is concerned only with the configuration of the gaming machines. Acres '852 has nothing to do with the configuration of a jackpot system.

The rejection of the claims further referred to Acres '882 patent. With reference to col. 6, lines 35-55 of Acres '882, it was suggested that the Acres '882 patent discloses allowing the operator to configure the paytable.

This is not so. The idea here is for wins made at gaming devices (not gaming tables) and on jackpot systems to be paid out at the specific gaming device which triggered the jackpot win. To this extent, it is necessary for the computer control system to be able to change the payout amount at each individual gaming machine to enable the payment of the jackpot win to the player in addition to a machine win. Thus, the passage cited in the Office Action refers to the gaming devices, on receiving a reconfiguration command, reconfiguring their jackpot payout schedules in accordance with the reconfiguration command. Thus, although Acres '882 is concerned with paying out jackpot wins, it does not anywhere include information as to how the jackpots themselves are to be configured and organized.

Thus, the rejection of the claims in the Office Action seeks to combine two references which do not have any relevance to the actual configuration of a jackpot system per se in an attempt to demonstrate that the independent claims of the present application, which do indeed relate to the configuration of the jackpot system per se, are nevertheless obvious. Not only does the combination not lead to the present invention as recited in the independent claims, since the relevant teaching is missing from both references, it further appears that the attempted combination of the two references for purposes of rejecting the pending claims employs hindsight based on knowledge obtained from the present invention as described in this application. For this reason alone, applicants submit that the present invention as defined by the pending claims is not obvious.

The new cited Olson patent does not change this conclusion.

For purposes of the present invention, the best summary of what Olson teaches can be gleaned from independent claim 25. Despite the length of the reference there is only one way the system described there operates, namely game play at the gaming machines (game play at tables is not addressed by Olson). In contrast, the present invention has jackpots which can be won both by players at gaming tables and players at gaming machines, both of which can participate simultaneously in a common jackpot. Results in each game played trigger a contribution to the jackpot, assuming the machine and the player are eligible for the jackpot (for example, players may have to play for a certain time and at a certain speed and level of bet to be eligible to participate). Once the jackpot has reached a financial level selected at random between maximum and minimum limits, the possibility exists of certain players (not all) selected at random being eligible to participate in a bonus time period with the possibility of a jackpot win. The level of win is not however the amount of the jackpot at that time <u>but a multiple of the win achieved by an eligible player at an eligible gaming machine</u> during the bonus round. Thus all the operator can do is select suitable multiples; there is no selection generator in the words of claim 47 and there is no set of <u>predefined</u> winning entries or any respective wins associated with each of said predefined winning entries. Moreover, the operator's scope for configuration of the jackpot wins is severely limited in the Olson reference, basically to defining the multiples that are allowed, and there is no separate selection generator or paytable associated therewith. There is only the game of chance played on each machine and the possibility of paying out multiples of wins achieved by playing the game on the machine, with the wins being defined exclusively by the rules of the game being played and not by a separate game of chance associated exclusively with the jackpot.

Thus, Olson does not supply what is missing from the earlier discussed Acres references. Accordingly, combining Olson with Acres '852 and '882 also does not render the pending claims obvious.

CONCLUSION

In view thereof, applicants submit that claims 47-54 and 56-95 are not obvious. Applicants therefore request a formal allowance of this application at an early date.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at (415) 273-4730 (direct dial).

Respectfully submitted,

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